



To the Honorable Council
City of Norfolk, Virginia

February 11, 2014

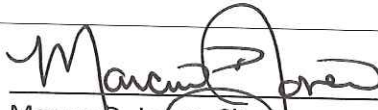
From: George M. Homewood, AICP CFM, Acting Planning Director

Subject: **Adult Use Special Exception for Jessy's Restaurant and Grocery**

Reviewed: Ronald H. Williams, Jr., Assistant City Manager

Ward/Superward: 5/6

Approved:


Marcus D. Jones, City Manager

Item Number: R-13

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Amend a previously granted Special Exception to operate an Eating and Drinking Establishment.
- IV. **Applicant:** Jessy's Restaurant and Grocery – 3201 East Ocean View Avenue, Suite 104
- V. **Description:** This request would allow Jessy's Restaurant and Grocery to increase indoor seating capacity and establish outdoor seating.

	Current	Proposed
Hours of Operation	9:00 a.m. until 11:00 p.m. seven days a week	Unchanged
Hours for Sale of Alcohol	11:00 a.m. until 11:00 p.m. seven days a week	Unchanged
Capacity	40 seats indoors 0 seats outdoors 45 total capacity	67 seats indoors 40 seats outdoors 129 total capacity

Staff point of contact: Ashton Jones at 664-7470, ashton.jones@norfolk.gov

Attachment:

- Staff Report to CPC dated January 23, 2014 with attachments
- Letter of support – East Ocean View Civic League
- Proponents and Opponents
- Ordinance



City of NORFOLK

To the City Planning Commission
City of Norfolk, Virginia

January 23, 2014

From: Ashton Jones
City Planner II AS

Subject: Amend a previously granted Special Exception to operate an Eating and Drinking Establishment by adding indoor and outdoor seating at 3201 East Ocean View Avenue – Jessy's Restaurant and Grocery.

Reviewed: Leonard M. Newcomb III, *and III*
Land Use Services Manager

Ward/Superward: 5/6

Approved: 
George M. Homewood, AICP, CFM
Acting Planning Director

Item Number: C-3

- I. **Recommendation:** Staff recommends approval, subject to the attached conditions which are necessary to bring the site more into compliance with *Zoning Ordinance* requirements.
- II. **Applicant:** Jorge Romero
3201 East Ocean View Avenue
- III. **Description:**
This request is to allow Jessy's Restaurant and Grocery to increase indoor seating and add outdoor seating capacity.
- IV. **Analysis**
Plan Analysis
 - *plaNorfolk2030* designates this site as Commercial, meaning the proposed special exception is consistent with *plaNorfolk2030*.Zoning Analysis
 - The site is zoned C-2 (Corridor Commercial) which permits an Eating and Drinking Establishment by Special Exception.
 - The request is to amend an existing Special Exception to increase both indoor seating and outdoor seating.
 - Currently the site does not contain a sufficient number of parking spaces to allow additional indoor seating.
 - There is a vacant, unimproved portion of the site that may be improved as a parking area.
 - If that area is improved to meet *Zoning Ordinance* requirements for parking lots, additional indoor seating may be allowed.

- As all of the surrounding property south of East Ocean View Avenue is zoned for residential uses, there are no options for off-lot parking for this establishment.
- No additional parking is required for outdoor seating.

	Current	Proposed
Hours of Operation	9:00 a.m. until 11:00 p.m. seven days a week	Unchanged
Hours for Sale of Alcohol	11:00 a.m. until 11:00 p.m. seven days a week	Unchanged
Capacity	40 seats indoors 0 seats outdoors 45 total capacity	67 seats indoors 40 seats outdoors 129 total capacity

- The attached conditions ensure that the site is more in compliance with *Zoning Ordinance* requirements

Traffic Analysis

- Institute of Transportation Engineers figures estimate that this restaurant will generate 130 additional vehicle trips per day by adding 27 seats at this location above currently approved totals.

V. Financial Impact

The applicant is current on all taxes.

VI. Environmental

The existing layout of the shopping center, facing E. Ocean View Ave, is designed to minimally affect the surrounding residential properties.

VII. Community Outreach/Notification

- Legal notice was posted on the property on November 12.
- Letter was sent to the East Ocean View Civic League on November 27.
- Letters were mailed to all property owners within 300 feet of the property on December 5.
- Notice was sent to the civic leagues by the Department of Communications on December 5.
- Legal notification was placed in *The Virginian-Pilot* on December 5 and 12.

VIII. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Proposed Conditions
- Location Map
- Zoning Map
- Application
- Letter to the East Ocean View Civic League
- Letter of Support from the East Ocean View Civic League

Proponents

Jorge Romero - Applicant
3201 E Ocean View Ave # 104
Norfolk, Virginia 23518

Opponents

None

Form and Correctness Approved:

Contents Approved: *AJ*

By *Adrian M. Webb*
Office of the City Attorney

By *JE*
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO JESSYS GROCERIES, INC. AUTHORIZING THE OPERATION OF AN EATING AND DRINKING ESTABLISHMENT ON PROPERTY LOCATED AT 3201 EAST OCEAN VIEW AVENUE, SUITE 104.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Jessys Groceries, Inc., authorizing the operation of an eating and drinking establishment named "Jessys Grocery Store" on property located at 3201 East Ocean View Avenue, Suite 104. The property which is the subject of this Special Exception is more fully described as follows:

Property located on the southeast corner of East Ocean View Avenue and 12th Bay Street fronting 250 feet, more or less, along the southern line of East Ocean View Avenue and 150 feet, more or less, along the eastern line of 12th Bay Street; premises numbered 3201 East Ocean View Avenue, Suite 104 and located within the Bay Street Shoppes.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment shall be from 9:00 a.m. until 11:00 p.m., seven days per week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours of operation for the sale of alcoholic beverages shall be from 11:00 a.m. until 11:00 p.m., seven days per week.
- (c) The seating for the establishment shall not exceed 67 seats indoors, 40 seats outdoors, and the total occupant capacity, including employees,

shall not exceed 129 people.

- (d) The seating for the establishment shall not exceed 40 seats indoors unless and until a parking lot is constructed that satisfies all off-street parking requirements, development standards, and site plan review processes set forth in the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (e) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (f) The establishment shall maintain a current, active business license at all times while in operation.
- (g) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (h) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (i) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

- (j) A menu shall be provided containing an assortment of foods which shall be made available at all times the restaurant is open. A food menu and full dining service shall be available at the bar.
- (k) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator, or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (l) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (m) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (n) In addition to the ABC manager or supervisor the

applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

- (o) There shall be no entertainment, no dancing, and no dance floor provided.
- (p) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (q) A copy of this Adult Use Special Exception ordinance and Exhibits shall be available on site at all times for inspection, and a notice indicating that this Adult Use Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare.

Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exception permitting the operation of an Eating and Drinking Establishment on this property, adopted on February 24, 2009 (Ordinance No. 43,368). All provisions and conditions previously approved are entirely superseded by the terms of this Special Exception

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (3 pages)



EXHIBIT "A"

Description of Operations Eating and Drinking Establishment

Date 9/25/13
Trade name of business JESSYS GROCERIES INC
Address of business 3201 E. OCEAN VIEW AVE #104
Name(s) of business owner(s)* Jorge Romero
Name(s) of property owner(s)* TODD LOVELACE
Daytime telephone number (757) 375-5969

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From <u>9:00am</u> To <u>11:00pm</u> ^{JAL}	Weekday	From <u>11:00am</u> To <u>11:00pm</u> ^{JAL}
Friday	From <u>9:00am</u> To <u>11:00pm</u> ^{JAL}	Friday	From <u>11:00am</u> To <u>11:00pm</u> ^{JAL}
Saturday	From <u>9:00am</u> To <u>11:00pm</u> ^{JAL}	Saturday	From <u>11:00am</u> To <u>11:00pm</u> ^{JAL}
Sunday	From <u>10:00am</u> To <u>11:00pm</u> ^{JAL}	Sunday	From <u>11:00am</u> To <u>11:00pm</u> ^{JAL}

2. Type of ABC license applied for (check all applicable boxes)
☒ On-Premises ☒ Off-Premises (additional application required)

3. Type of alcoholic beverage applied for
☒ Beer ☒ Wine ☒ Mixed Beverage

4. Will indoor or outdoor entertainment be provided?
(Entertainment consists of anything more than one, unamplified musician)
☐ Yes (Different application required) ☒ No

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July 2013)

Exhibit A -- Page 2
Eating and Drinking Establishment

5. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

5a. If yes, please describe type and number of each game to be provided

6. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

6a. If yes, why

- 6b. Which days of the week will there be a cover charge (circle all applicable days)?

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday N/A

7. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

7a. If yes, explain

CELEBRATORY RSVPs, FORMAL
LUNCHEONS OR DINERS.

8. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

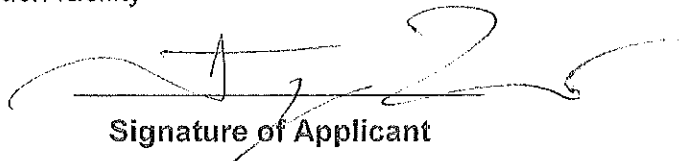
8a. If yes, explain

9. Will there ever be a minimum age limit?
☐ Yes ☒ No

Exhibit A – Page 3
Eating and Drinking Establishment

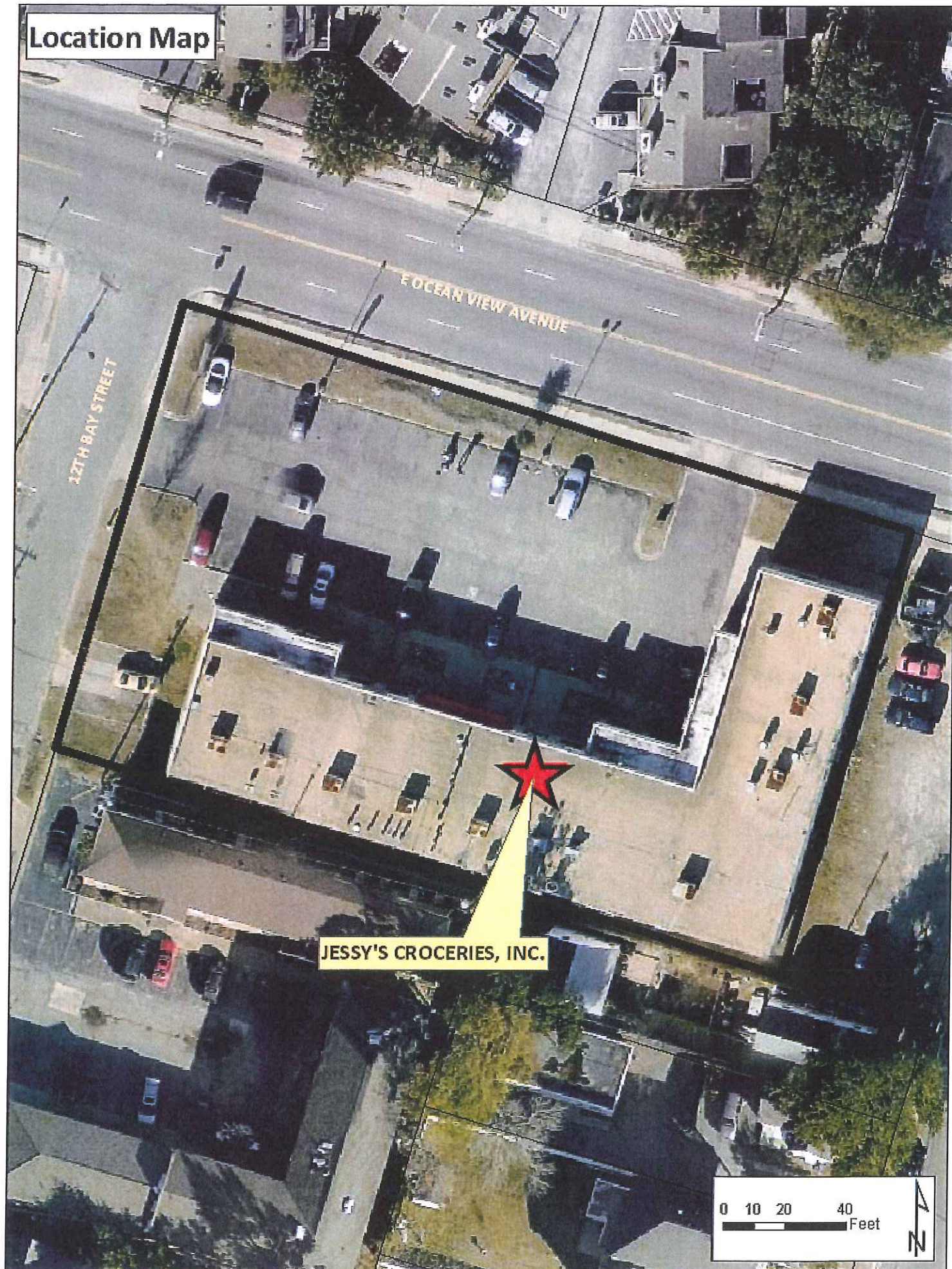
10. Additional comments/ description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

Location Map

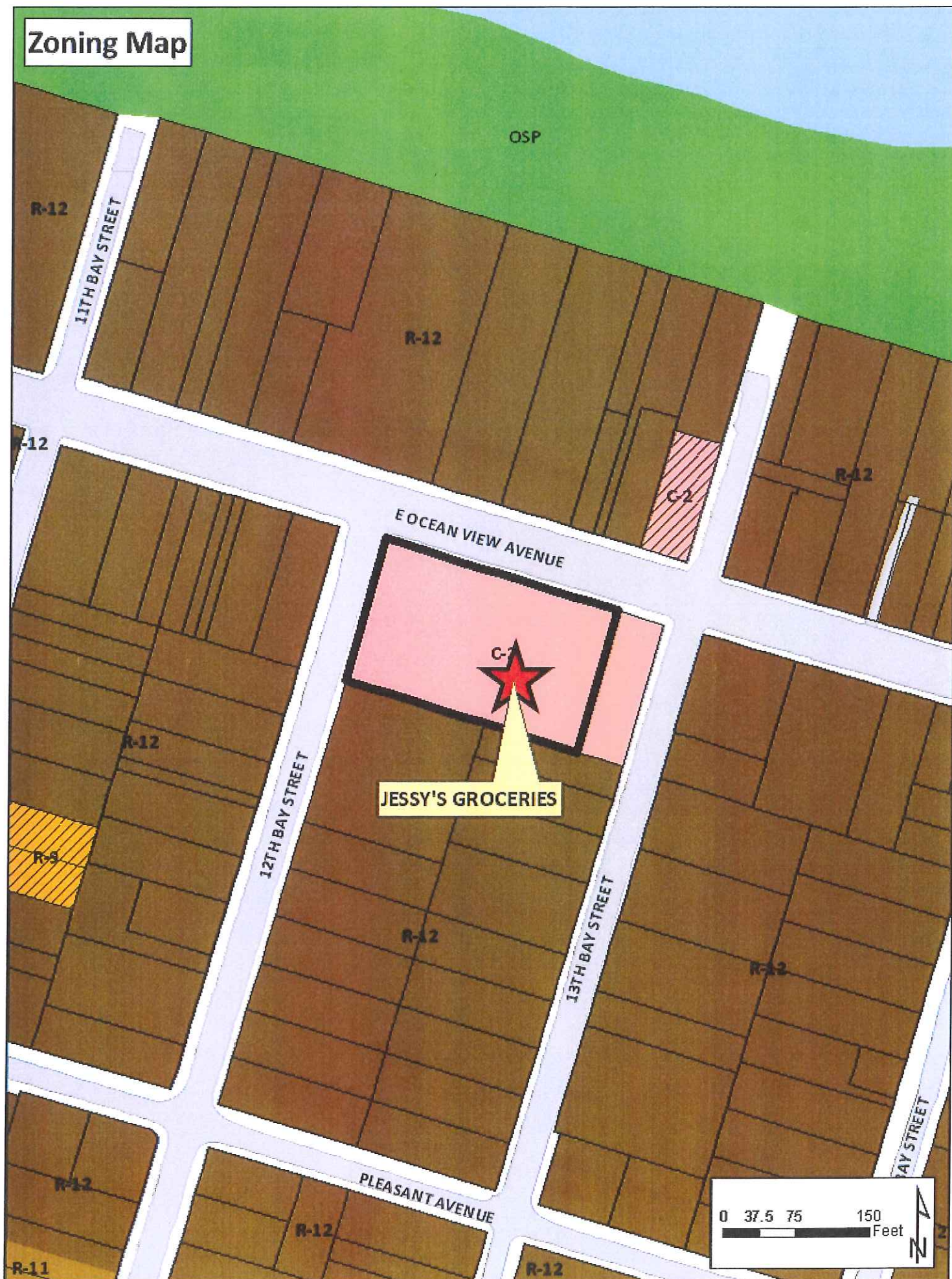


JESSY'S CROCERIES, INC.

0 10 20 40
Feet



Zoning Map





**APPLICATION
ADULT USE SPECIAL EXCEPTION
EATING AND DRINKING ESTABLISHMENT
(Please print)**

Date SEPT 25

DESCRIPTION OF PROPERTY

Address 3201 E. OCEAN VIEW AVE, NORFOLK VA Suite 104

Existing Use of Property GROCERY STORE / RESTAURANT

Proposed Use ADDITIONAL SEATING (OUTSIDE)

Current Building Square Footage 4327 Ft²

Proposed Building Square Footage S.A.A.

Trade Name of Business (if applicable) Jessys Groceries Inc

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) ROMERO (First) JOHNE (MI) A

Mailing address of applicant (Street/P.O. Box) 3201 E. OCEAN VIEW AVE
(City) NORFOLK (State) VA (Zip Code) 23518

Daytime telephone number of applicant (757) 375-5969 Fax number (757) 480-3033

E-mail address of applicant jralsmith@gmail.com

2. Name of property owner (Last) LOVELACE (First) TODD (MI)

Mailing address of property owner (Street/P.O. Box) 2808 Forest Hills Ct
(City) VA Beach (State) VA (Zip Code) 23454

Daytime telephone number of owner (757) 435-5135 Fax number ()

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July 2013)

Application
Eating and Drinking Establishment
Page 2

CONTACT INFORMATION

Civic League contact John Greene (E Ocean View) greenie4720@yahoo.com

Date(s) contacted _____

Ward/Super Ward information 5/16 Winn
Smigel

REQUIRED ATTACHMENTS

- Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
 - Application fee includes a non-refundable \$5 technology surcharge.
- Two 8½ inch x 14 inch (maximum size) copies of a floor plan prepared by a registered design professional drawn to scale showing seats/tables, restroom facilities, bar, ingress and egress, standing room, outdoor dining and total maximum capacity (see attached example)
- Two 8½ inch x 14 inch (maximum size) copies of a survey or conceptual site plan (required for new construction or site improvements) drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- Completed Exhibit A, Description of Operations (attached)

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Todd Lovelace Sign: [Signature] 10/25/13
(Property Owner or Authorized Agent Signature) (Date)

Print name: Jonae Horvath Sign: [Signature] 10/25/13
(Applicant or Authorized Agent Signature) (Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July 2013)



EXHIBIT "A"

Description of Operations
Eating and Drinking Establishment

Date 9/25/13
Trade name of business Jessys Groceries Inc
Address of business 3201 E. Ocean View Ave #104
Name(s) of business owner(s)* Jorge Romero
Name(s) of property owner(s)* Todd Lovelace
Daytime telephone number (757) 375-5969

*If business or property owner is partnership, all partners must be listed.

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1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales
Weekday From <u>9:00am</u> To <u>11:00pm</u> ^{EST}	Weekday From <u>11:00am</u> To <u>11:00pm</u> ^{EST}
Friday From <u>9:00am</u> To <u>11:00pm</u> ^{EST}	Friday From <u>11:00am</u> To <u>11:00pm</u> ^{EST}
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2. Type of ABC license applied for (check all applicable boxes)

☒ On-Premises ☒ Off-Premises (additional application required)

3. Type of alcoholic beverage applied for

☒ Beer ☒ Wine ☒ Mixed Beverage

4. Will indoor or outdoor entertainment be provided?

(Entertainment consists of anything more than one, unamplified musician)

☐ Yes (Different application required) ☒ No

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised July 2013)

Exhibit A – Page 2

Eating and Drinking Establishment

5. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

5a. If yes, please describe type and number of each game to be provided

6. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

6a. If yes, why

- 6b. Which days of the week will there be a cover charge (circle all applicable days)?

Monday Tuesday Wednesday Thursday Friday

Saturday Sunday

N/A

7. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

7a. If yes, explain

CELEBRATORY RECEPTIONS, FORMAL

LUNCHEONS ON DINERS,

8. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

8a. If yes, explain

9. Will there ever be a minimum age limit?
☐ Yes ☒ No

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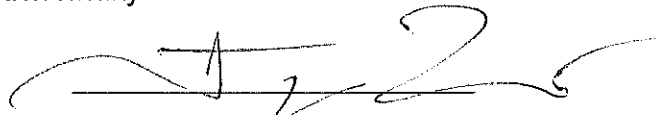
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(Revised July 2013)

Exhibit A – Page 3
Eating and Drinking Establishment

10. Additional comments/ description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

**Exhibit A – Floor Plan(s) Worksheet
Eating and Drinking Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Outdoor seating
 - Total maximum capacity (including employees)

Total capacity

a. Indoor

Number of seats (not including bar seats)

67

Number of bar seats

0

Standing room

10

b. Outdoor

Number of seats

40

c. Number of employees

12

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 129

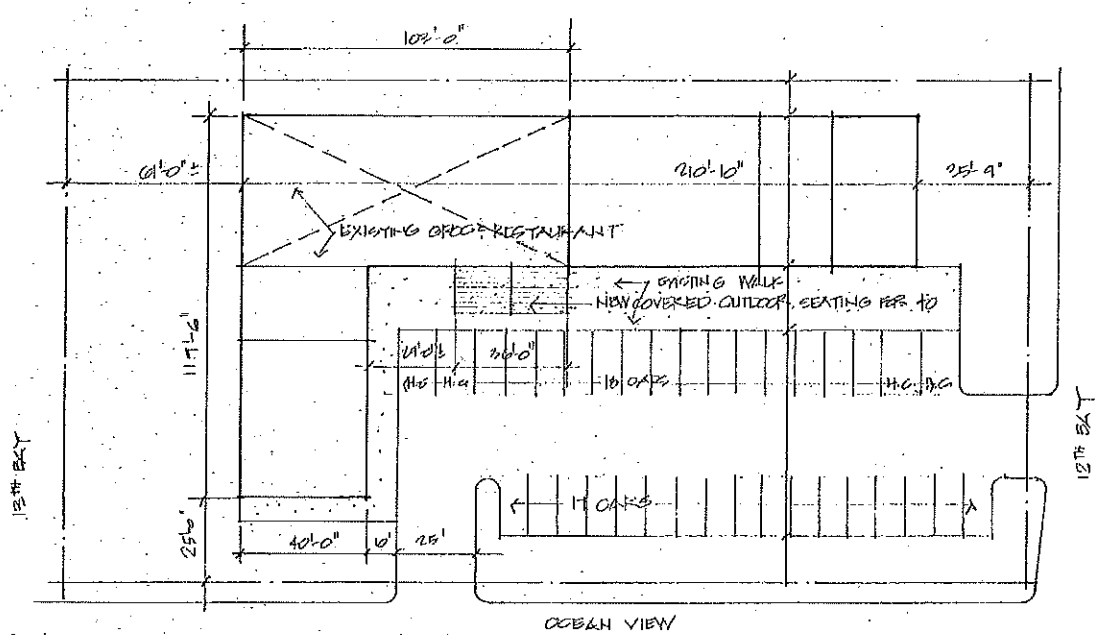
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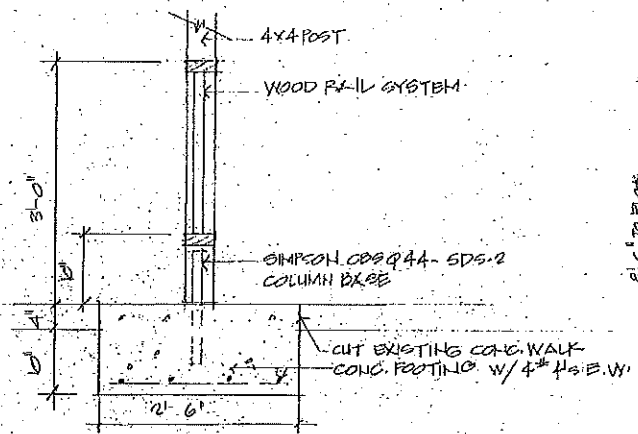
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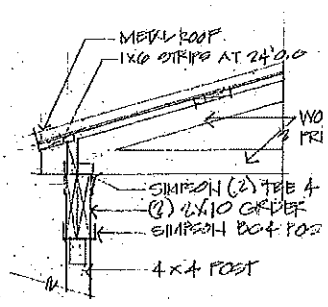
SITE PLAN

SCALE: 1" = 25'-0"



FOOTING AND RAIL DETAIL

SCALE: 1" = 1'-0"



EAVE DETAIL

SCALE

November 27, 2013

John Greene
President, East Ocean View Civic League
4720 East Beach Drive
Norfolk, VA 23518

Dear Mr. Greene,

The Planning Department has received an application to amend a previously granted Special Exception for an Eating and Drinking Establishment on property located at 3201 E. Ocean View Avenue, Suite 104. This request is tentatively scheduled for the December 19, 2013, City Planning Commission public hearing.

Summary

This request would allow Jessy's Groceries to increase indoor seating and create outdoor seating.

	Prior	Proposed
Hours of Operation	9:00 a.m. until 11:00 p.m. Seven days a week	Unchanged
Hours for the Sale of Alcoholic Beverages	11:00 a.m. until 11:00 p.m. Seven days a week	Unchanged
Seating	40 seats indoors 0 seats outdoors 45 Total Capacity	77 seats indoors 40 seats outdoors 129 Total Capacity

If you would like additional information on the request, you may contact the applicant, Jorge Romero, at (757) 375-5969 or you may telephone Ashton Jones at (757) 664-7470. A copy of the complete application is enclosed.

Sincerely,



George M. Homewood, AICP, CFM
Acting Planning Director

cc: Ray Ransom, Senior Neighborhood Development Specialist
Carlton.Ransom@norfolk.gov or (757) 823-4206



5 January 2014

City of Norfolk
810 Union Street
Director of Planning and Community Development, Suite 508
City Hall Building
Norfolk, VA 23510

Subject: Jessy's Tienda Application for a Special Exception Amendment

I am pleased to give my support and that of the East Ocean View Civic League to allow Jessy's Tienda (Groceries) to increase indoor seating and create outdoor seating. The EOV Board of Directors met with Mr. Jorge Romero, owner/manager of Jessy's, on 19 December 2013, and Mr. Romero outlined his business plan, goals and operating hours for the proposed expansion, and addressed BOD questions regarding increased traffic flow and trash, and adequate customer parking and lighting. I subsequently spoke with Mr. Todd Lovelace, the shopping center manager, on 24 December regarding the issues above and he indicated he would take, or had taken, care of them. Mr. Romero has also raised them to Mr. Lovelace.

Mr. Romero came to the EOV Civic League meeting on 2 January; and similarly explained the plan, as well as addressed questions regarding the above. He again indicated Mr. Lovelace would fix any inoperative lights on his property, as they represent a legitimate safety concern. Mr. Romero also stated he believes there is and will be adequate parking to handle additional customers, but will carefully monitor it in hopes potential customers do not turn away. There is also sufficient 12th and 13th Bay Street parking to handle overflow, which also goes back to the lighting issues above. Last, he has spoken with Mr. Lovelace about dumpster issues raised and gotten the same response as I did. Further discussion included numerous positive comments relative to Mr. Romero's management of and the food at Jessy's. The plan presented to the membership was then voted on and approved unanimously.

The approval was in no way contingent on Mr. Lovelace following through on his commitments. However, we believe there need to be concrete steps taken by Mr. Lovelace as measures of "good faith" for the community to remain supportive of this expansion of Jessy's. In the end, we believe it will be good for our area.

Sincerely,

//Original Signed//

John M. Greene, Jr.
President, East Ocean View Civic League



5 January 2014

City of Norfolk
810 Union Street
Director of Planning and Community Development, Suite 508
City Hall Building
Norfolk, VA 23510

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I am pleased to give my support and that of the East Ocean View Civic League to allow Jessy's Tienda (Groceries) to increase indoor seating and create outdoor seating. The EOV Board of Directors met with Mr. Jorge Romero, owner/manager of Jessy's, on 19 December 2013, and Mr. Romero outlined his business plan, goals and operating hours for the proposed expansion, and addressed BOD questions regarding increased traffic flow and trash, and adequate customer parking and lighting. I subsequently spoke with Mr. Todd Lovelace, the shopping center manager, on 24 December regarding the issues above and he indicated he would take, or had taken, care of them. Mr. Romero has also raised them to Mr. Lovelace.

Mr. Romero came to the EOV Civic League meeting on 2 January; and similarly explained the plan, as well as addressed questions regarding the above. He again indicated Mr. Lovelace would fix any inoperative lights on his property, as they represent a legitimate safety concern. Mr. Romero also stated he believes there is and will be adequate parking to handle additional customers, but will carefully monitor it in hopes potential customers do not turn away. There is also sufficient 12th and 13th Bay Street parking to handle overflow, which also goes back to the lighting issues above. Last, he has spoken with Mr. Lovelace about dumpster issues raised and gotten the same response as I did. Further discussion included numerous positive comments relative to Mr. Romero's management of and the food at Jessy's. The plan presented to the membership was then voted on and approved unanimously.

The approval was in no way contingent on Mr. Lovelace following through on his commitments. However, we believe there need to be concrete steps taken by Mr. Lovelace as measures of "good faith" for the community to remain supportive of this expansion of Jessy's. In the end, we believe it will be good for our area.

Sincerely,

//Original Signed//

John M. Greene, Jr.
President, East Ocean View Civic League